

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BURBERRY LIMITED; GIANNI VERSACE, S.R.L.;
HERMÈS INTERNATIONAL; LOUIS VUITTON
MALLETIER; AND MICHAEL KORS, L.L.C.,

Plaintiffs,

-against-

VARIOUS JOHN DOES, JANE DOES, and
XYZ COMPANIES,

Defendants.

USDC SDNY
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ORDER

ANALISA TORRES, District Judge:

WHEREAS, this action having been commenced by Plaintiffs Burberry Limited; Gianni Versace, S.r.l.; Hermès International; Louis Vuitton Malletier; and Michael Kors L. on October 12, 2023 against Defendants various John Does, Jane Does, and/or XYZ Companies at: 35 West 31st Street (Block 833/Lot 20), Ground Floor, New York, New York 10001; Gotham Mini Storage, 501 10th Avenue (Block 710/Lot 29), Rooms 5-1-334, 5-1-320, and 5-1-252, New York, New York 10018; White Graffiti Truck (License Plate No. ZWX 1388) at 51st Street and Broadway, and Sidewalks on 49th and 50th Streets on Broadway, New York, New York, 10036, alleging trademark counterfeiting and infringement of Plaintiffs' federally registered trademarks and charging Defendants with, *inter alia*, trademark counterfeiting, infringement, dilution and false advertising;

WHEREAS, on October 18, 2023, the Court entered an ex parte Temporary Restraining Order ("TRO"); Order Authorizing an ex parte seizure; Order to Show Cause for Preliminary Injunction; and Order Allowing Expedited Discovery, ECF No. 25 (the "Seizure Order");

WHEREAS, on October 19, 2023, Plaintiffs seized counterfeit merchandise pursuant to the TRO at certain of these locations, *see* Affidavit of Sydney Park, ECF No. 7-1;

WHEREAS, on November 9, 2023, this Court issued a Preliminary Injunction against certain Defendants personally served with copies of the Summons, Complaints, Seizure Order, and Declaration of Counsel during the civil seizures, ECF No. 32;

WHEREAS, this Court may issue an Order for Destruction of such counterfeit merchandise, pursuant to 15 U.S.C. § 1118; and

WHEREAS, the destruction of counterfeit goods ensures the continued protection of Plaintiffs' interests:

It is hereby ORDERED that the items seized pursuant to the Seizure Order shall be kept in a secured storage location for one year, during which time Defendants may move to reclaim such property. Upon the termination of the one-year period, the seized merchandise may be destroyed provided that ten days' notice is given to the United States Attorney for the Southern District of New York, as required under 15 U.S.C. § 1118.

SO ORDERED.

Dated: November 27, 2023
New York, New York



ANALISA TORRES
United States District Judge